IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 15708 of 2005(T)

AGAINST THE ORDER DATED / / IN IA.2169/04 IN OS.45/2000 of SUB COURT, MANJERI

.....

PETITIONER:

K.A.PRADEEP, S/O. APPUKUTTAN,
KANNAMCHOTH HOUSE, MANJERI, MALAPPURAM,
REPRESENTED BY HIS POWER OF ATTORNEY HOLDER
KANNAM VALLI KANAKADAS, KARURAMBBRAM DESOM, AMSOM,
NARUKARA VILLAGE, ERNAD TALUK, MANJERI,
MALAPPURAM DISTRICT.

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENTS:

1. **BRANCH MANAGER,**
   NEDUNGADI BANK LTD., MANJERI.
2. **PANJAB NATIONAL BANK LTD., MANJERI.**
3. **M/S. SAFE AUTO INDUSTRIES, MANJERI.**
4. **MOHAN RAJA,**
   MANJERI AMSOM DESOM.
5. **VIJAYENDRA KUMAR, MALAPPURAM.**

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.15708/2005

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE ORDER DT. 14.12.04 IN IA. 2169/04 IN OS. NO.45/2000 ON THE FILES OF THE SUBORDINATE JUDGE, MANJERI

/TRUE COPY/

P.A. TO JUDGE

tss

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 15708 of 2005

Dated this the 27th day of July , 2007

JUDGMENT

I have today disposed of W.P.(C) No.37043/2004 by setting aside the order passed by the learned Subordinate Judge in I.A.No.2168/2004 dismissing the petition filed by the petitioner for permission to conduct the case on the strength of a power of attorney. This writ petition is filed impugning Ext.P1 order passed on an application filed by the very same petitioner seeking to condone the delay caused in the matter of filing the written statement. Under Ext.P1 order the main reason stated for dismissing the I.A. is that since I.A. No.2168/2004(in W.P. (C) No.37043/2004) is dismissed, the I.A.No.2169/2004 in this writ petition is also dismissed.

2. In view of the judgment in W.P.(C) NO. 37043/2004 Ext.P1 will also stand set aside. The written statement filed by

the 2nd defendant through the signatory to this writ petition will stand received on file.

The writ petition is disposed of as above.

PIUS C. KURIAKOSE,
JUDGE.

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